



PULASKI COUNTY

Office of the Sheriff
Doc Holladay, Sheriff
Regional Detention Facility
3201 W. Roosevelt Road, Little Rock, AR 72204
Tel. 501-340-7000

January 30, 2018

Sergeant Anthony Jenkins
Pulaski County Sheriff's Office
Detention Branch – Housing and Security
Little Rock, AR 72204

Re: Disposition of Complaint

Dear Sergeant Jenkins:

The investigation of the Use of Force that occurred in D-Unit on June 9, 2017 involving you and Inmate Kenneth Lawrence has been concluded with a disposition of not sustained.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "R.M. Sylvester".

R.M. Sylvester
Chief of Detention

RMS/lkw

cc: Chief Deputy Lowery
Professional Standards



PCSO 002516

Office of the
Pulaski
County
Sheriff

Official Memorandum
Pulaski County Detention Facility

To: Chief Sylvester
From: Major M. Briggs#2002
Re: Professional Standards File 17-IA-0104
Date: January 30, 2018

Sir,

We have been following up with the Prosecutor's Office for several months regarding the death of Inmate Kenneth Lawrence. We have made checks in August and November of 2017, no file decision had been made at that those times. We have kept the Professional Standards File open pending the Prosecutor's Office recommendations. I received an email from Captain Mark Swaggerty of the Central Investigations Division yesterday. It is a file entry from the investigators by the Prosecutor's Office, it reads: "On this date, I was contacted by the Pulaski County Prosecutor's Office and advised that a file recommendation has been made regarding this investigation (Kenneth Lawrence). Deputy Prosecuting Attorney John Johnson advised they would not recommend criminal charges against Sergeant Jenkins regarding his actions during this incident. The decision was made based on the confidence that Sergeant Jenkins actions did not cause or contribute to the cause of death of the victim." Due to the decision made by the Pulaski County Prosecutor's Office, the case review against Sergeant Jenkins has been classified as Exempt by Prosecutor (EP).

With regards to the Professional Standards File I have reviewed the report in its entirety. All witnesses interviewed either report that they did not witness any strikes made by Sergeant Jenkins or that they saw Sergeant Jenkins elbow strike the inmate once in order to control him. Sergeant Jenkins himself reports that he struck the inmate twice, at different times, in order to control the inmate. Nurse Mitchell is the only witness to report that Sergeant Jenkins may have struck the inmate more than once. Nurse Mitchell (interview pages 122-126) indicates anywhere from between 1-5 strikes, both with an elbow and a closed fist. He is unable to determine the exact nature, number, type, or location of the strikes. Nurse Mitchell does report that the strikes were in order to control the inmate and prevent harm to staff.

I recommend that this file be found Not Sustained based on the information I have reviewed.

Respectfully Submitted,



Major M. Briggs#2002

PM S
1-30-18

Matthew Briggs

From: Mark Swagerty
Sent: Monday, January 29, 2018 2:04 PM
To: Matthew Briggs
Subject: death file

On this date, I was contacted by the Pulaski County Prosecutors Office and advised that a file decision has been made regarding this investigation. DPA John Johnson advised that there would not recommend criminal charges against Sgt. Jenkins regarding his actions during this incident. The decision was made based on the confidence that Sgt. Jenkins actions did not cause or contribute to the cause of death of the victim.

Due to the decision made by the Pulaski County Prosecutors Office, the case review against Sgt. Jenkins will be classified as Exempt by Prosecutor.

EP

Captain Mark Swagerty
Pulaski County Sheriff's Office
Criminal Investigations Division
2900 S. Woodrow
Little Rock, AR 72204
501-340-6744 office
501-340-6773 fax



Office of the
Pulaski
County
Sheriff

Official Memorandum
Detention Branch

To: File

From: Major Matthew Briggs

Re: PSU Case No. 17-IA-0104

Date: August 9, 2017

The Pulaski County Prosecutors office was given a copy of the attached file on Tuesday, August 8, 2017. We are currently waiting for a decision regarding this incident.

MB/lkw

Same
11-9-17 ok
m

OK
m

Supervisory Comments / Recommendations (Attach additional sheets if necessary):

I HAVE READ THIS FILE IN ITS ENTIRETY AND RECOMMEND
IT BE FOUND NOT SUSTAINED

Supervisor: MWDSN 2007 Rank: MAJOR Date: 1-30-18

Supervisory Comments / Recommendations (Attach additional sheets if necessary):

Supervisor:

DSN

Rank:

Date:

Supervisory Comments / Recommendations (Attach additional sheets if necessary):

Supervisor:

DSN

Rank:

Date:

This completed form is to be forwarded to the Professional Standards Unit

DISPOSITION OF COMPLAINT

FOR BRANCH CHIEF OR DESIGNEE USE ONLY

- ☐ **SUSTAINED** - The member engaged in the alleged act or conduct and the act or conduct was contrary to Department Policy and/or Standards of Conduct

STANDARD(S) OF CONDUCT VIOLATED: _____

DISCIPLINARY ACTION: _____

- ☐ **WITHDRAWN** - Complaint withdrawn by the complainant
- ☒ **NOT SUSTAINED** - The evidence is insufficient to clearly prove or disprove the allegations made
- ☐ **UNFOUNDED** - The act or conduct alleged did not occur
- ☐ **EXONERATED** - The act or conduct did occur, but is was justified, lawful and proper

Branch Chief or Designee: Rm ShueDate: 1-30-18
policy - compfm / Revised 2007

17-IA-0104
Case Summary

On June 9, 2017, Inmate Kenneth Lawrence was found lying on his cell floor unresponsive by his cell mate. A Code Red was then called and Medical personnel responded along with Sergeant Anthony Jenkins. While Medical was conducting a sternum rub on Inmate Lawrence, he sat up and grabbed Nurse Mitchell and then grabbed at Sgt. Jenkins. Sgt. Jenkins reported that he then struck Inmate Lawrence in the nose with his elbow and then lay across Inmate Lawrence. Inmate Lawrence reportedly attempted to bite Sgt. Jenkins where Sgt. Jenkins said that he then struck Inmate Lawrence in the mouth with his elbow. Inmate Lawrence continued to struggle with Sgt. Jenkins and was later pepper sprayed with O.C. Spray. Inmate Lawrence was then handcuffed by responding staff and placed in a restraint chair. Inmate Lawrence was later found unresponsive without pulse and was transported to UAMS hospital for treatment. Inmate Lawrence later died at the hospital.

A request was made by Chief Mike Lowery for the Professional Standards Division to conduct an internal investigation into the death of Inmate Lawrence on June 15, 2017. This case was also being investigated by the Pulaski County Sheriff's Office Criminal Investigation Division. The decision was made to allow the CID Division to conduct their investigation first.

The Pulaski County Sheriff's Office Criminal Investigation Division conducted an investigation into the death of Inmate Lawrence and a file was put together for review of the Pulaski County Prosecuting Attorney's Office. This file was given to the Professional Standards Unit on August 7, 2017.

There will be no further investigation into this matter unless directed otherwise by Chief Deputy Lowery. The interview recordings from this summary will be retained in a secure area of the Professional Standards Unit of the Pulaski County Sheriff's Office and will be made available upon authorized and approved request.

Submitted by the Professional Standards Unit

CASE # 17-IA-0104

CASE INDEX

Date Assigned: 06-15-2017

Date(s) of Incident: 06-09-17

Assigned by: Chief Deputy Mike Lowery

Case Summary, Complaint Form, Supplements, Statements, Reports, Evidence

<u>Date</u>	<u>Page(s)</u>	<u>Page Contents</u>
06-15-17	1-69	Documents provided for Internal Case
08-07-17	70	PCSO Case File Review 17-12624

Date Submitted for Disposition Determination: _____

Professional Standards Unit Investigator: _____ Capt. Greg Evans 662

Reviewing Branch Chief: Tom Slusko

Date Case Closed: 1-30-18

Final Disposition: not Sustained

17-FA-0104

Office of the
Pulaski
County
Sheriff

Official Memorandum
Regional Detention Facility

To: Chief Deputy Mike Lowery
From: Chief Michael Sylvester *RMS*
Re: Request for PSU Investigation
Date: June 14, 2017

I have reviewed the attached information regarding Inmate Kenneth Lawrence #9668-17 that occurred in D unit on June 9, 2017. I am requesting that PSU Investigate this matter.

RMS/lkw

Office of the
Pulaski
County
Sheriff

Official Memorandum
Regional Detention Facility

To: Chief Michael Sylvester

From: Major Matthew Briggs



Re: PSU Investigation

Date: June 14, 2017


After carefully reviewing the attached incident with Inmate Kenneth Lawrence #9668-17, I recommend that this file be sent to Professional Standards to be investigated.

MB/lkw

CONCOR -
Fm S
6/14/17

**Office of the
Pulaski
County
Sheriff**

**Official Memorandum
Regional Detention Facility**

To: Chief Mike Sylvester via Chain of Command
From: Captain T. Rose #1175 
Re: Subject Control (Inmate Lawrence, Kenneth B/I #9667-17 "D-Unit")
06.09.17
Date: June 13, 2017

I have reviewed all written documentation and video regarding the incident with inmate Lawrence. Conflicting information was received concerning the type of blows (punches, elbow strikes) and how many were delivered is questionable. According to documentation this happened within the cell out of the camera view. See attached memorandums received from Nurse Mitchell (Medical Administrator), Nurses Nguyen and Cook. Therefore, I am requesting further investigation into this matter.

Office of the
Pulaski
County
Sheriff

Official Memorandum
Pulaski County Detention Facility

To: Captain Rose

From: Lieutenant Shepherd *6/17/17*

Re: Complaint by Medical Administrator Mitchell

Date: June 12, 2017

On June 9th, 2017, at approximately 1030 hours, Nurse Mitchell called and asked to speak to me face to face. I told him I was available whenever he was ready. Nurse Mitchell entered Captain Rose's front office a short time later. Nurse Mitchell, Nurse Tillman, Captain Rose and I went into my office and closed the door.

Nurse Mitchell at that time stated that during a Code Blue earlier in the day, he had witnessed Sergeant Anthony Jenkins strike Inmate Lawrence, Kenneth 9668-17 in the face at least five (5) times with a closed fist. I told Nurse Mitchell that I needed that in writing. He at first stated that he was not going to write it but I insisted and he agreed to write it. At 1331 hours I received a memorandum from Nurse Mitchell that simply stated that he saw Sergeant Jenkins strike an inmate in the face with a closed hand. Please see attached memorandum.

I spoke with all parties that were in the cell during the code. Nurses Nguyen and Nurse Cook both stated that they saw Sergeant Jenkins strike the inmate with an elbow. They both stated they did not see a closed fist used. Please see attached memorandums.

I spoke with Sergeant Jenkins and he stated, as he did in his report, that he struck the inmate in the nose with an elbow as the inmate was scratching Sergeant Jenkins on the neck and grabbing his ear and struck the inmate in the mouth with an elbow when the inmate later tried to bite him on his right side.

I find no proof of the allegations made by Nurse Mitchell. The other Medical Personnel in the cell witnessed the reported elbow strikes but not closed fist strikes. I recommend no further investigation of these allegations.

If you have any questions, please call me at ext. 185/342.

*OK Acknowledged
on 6-12-17.
Captain Rose #185
ward to Chief Sifuentes
via c/c*



19 NE 50th
Oklahoma City, OK 73105
(405) 516-0276

INTERNAL MEMO:

Date: 6/9/2017

From: J. Mitchell RN HSA

To: R. Shepherd

Re: Code red 6/7/2017

While involved in the code red situation called at 0853 which resulted in a code blue being called at 0902 I observed the inmate was struck in the face with a closed hand by Sergeant Jenkins.

REC 6/9/2017 via Lt. Shepherd
Capt. Alonzo #1175
forward to Chief Sylvester via C/C

Office of the
Pulaski
County
Sheriff

Official Memorandum
Pulaski County Detention Facility

To: Lt. Shepherd
From: Nurse Nguyen
Re:
Date: 6/9/17

I/m was laying on floor unresponsive. Upon becoming responsive I/m became combative. Deputies attempted to restrain I/m. I/m attempted to reach + grab stuff. Sgt Jenkins struck I/m on head. I/m continued to resist. At this time this Nurse stepped back to provide gloves + masks for stuff and no other observations were made.

J. Nguyen LCN

rec. 6/9/17 via Lt. Shepherd

Capt. Zlope #1175
forward to Chief Sylvester via C/c

Office of the
Pulaski
County
Sheriff

Official Memorandum
Pulaski County Detention Facility

To: Lt. Shepherd
From: Steven Coll LPR
Re: _____
Date: 6/9/17

Called to Code red in 4th unit, I'm was on floor with medical staff and security in cell. I'm was unresponsive at that time, when I'm became responsive he also became combative. Medical staff attempted to leave cell while more security staff arrived. During this time I'm raised his head and upper body with Sgt. Jenkins on top of him. Sgt Jenkins struck the I'm with his elbow to the head of I'm. They were backed further away to allow more security staff at cell door, no further observations were noted.

[Signature]

rec. 6/9/17 via Lt. Shepherd.

Capt. Knox #1115
forward to Chief Sefvater via C/C

Office of the
Pulaski
County
Sheriff


Official Memorandum
Pulaski County Detention Facility

To: Chief Sylvester via Chain of Command
From: Lieutenant Shepherd *MS*
Re: COVER LETTER
Re: LAWRENCE, KENNETH RENEE
Date: 06/13/2017

After reviewing the video and submitted reports relating to this incident, I do not find any apparent violations of policies and procedures, standards of conduct and/or branch directives. However, due to the inability to see the use of force, conflicting information as to how many and what type of blows that were struck, and the severity of the incident, I am referring this for further investigation.

On June 9, 21017, at approximately 0853 hours Inmate Sacul, Emilo 9398-17 began beating on his cell door. Deputy L. Junior went to cell D109 and saw Inmate Lawrence, Kenneth 9668-17 lying on the floor. Deputy Junior opened the door and asked him if he was okay. Inmate Lawrence did not answer so Deputy Junior called A Code Red (medical emergency). Central Control initially called a Code Blue (deputy needs assistance). Deputy Junior corrected Central Control and the Code Red was called again. Medical personnel were already in the unit conducting pill call. Nurse Nguyen began assessing Inmate Lawrence. Additional medical personnel arrived and began assessing Inmate Lawrence. While assessing Inmate Lawrence, Nurse Mitchell gave Inmate Lawrence a sternum rub to try and get a response. He did this two times. On the second time, Inmate Lawrence sat up and became combative by grabbing at staff members. He would not comply with orders given. Inmate Lawrence grabbed Nurse Mitchell and pulled him toward the floor. Sergeant Jenkins took hold of Inmate Lawrence's arms and pulled them away from Nurse Mitchell. He told Inmate Lawrence to calm down but Inmate Lawrence did not seem to understand. Inmate Lawrence then began grabbing at Sergeant Jenkins scratching his neck. Sergeant Jenkins pushed Inmate Lawrence's arms away from him but he continued to grab at Sergeant Jenkin's neck and ear. Sergeant Jenkins struck Inmate Lawrence in the nose with his right elbow. Inmate Lawrence began pushing Sergeant Jenkins' arms away. Sergeant Jenkins laid across Inmate Lawrence's chest and pinned his right arm with his hand s and Inmate Lawrence's left arm with his legs. Inmate Lawrence continued to move and try and break free of Sergeant Jenkins. Inmate Lawrence began to bite at Sergeant Jenkins's right side. Sergeant Jenkins told Inmate Lawrence to stop but he continued to try and bite

Sergeant Jenkins. Sergeant Jenkins struck Inmate Lawrence in the mouth with his right elbow. Inmate Lawrence stopped and tried to roll over. Sergeant Jenkins released his hold on Inmate Lawrence to allow him to roll over. Inmate Lawrence put his hands under his body and would not allow staff to handcuff him. He continued to push and kick. Sergeant Jenkins pushed Inmate Lawrence up against the toilet in the cell and oleoresin capsicum sprayed Inmate Lawrence in the face. A Code Blue was called at 0902 hours. At this point Deputy Stone relieved Sergeant Jenkins. Deputy Stone, Deputy Murphy and Deputy Turner were able to handcuff and shackle Inmate Lawrence. I was called and told that my presence was requested in D Unit. When I arrived Inmate Lawrence was still struggling against staff members restraining him. Inmate Lawrence continued to struggle for some time before appearing to go unconscious. Medical personnel requested that Inmate Lawrence be placed in a chair for evaluation. Inmate Lawrence was picked up and sat in a wheelchair for evaluation. I requested a restraint chair to transport him to L Unit where medical personnel were going to treat a laceration on his left eyelid. Nurse Mitchell gave Inmate Lawrence an injection and he was placed in the restraint chair. We exited D Unit and headed toward the elevator. While walking down the hall, I asked Nurse Cook to check Inmate Lawrence. Nurse Cook stated that Inmate Lawrence was okay. We entered the elevator and traveled to the third floor. Nurse Cook checked Inmate Lawrence again while in the elevator. We exited the elevator and went to L Unit. We went to the lower back sub dayroom to wait for medical personnel to treat Inmate Lawrence's laceration. I asked Nurse Cook to check Inmate Lawrence again because he was very still. Nurse Cook checked Inmate Lawrence but could not find a pulse. I ordered the staff present to remove Inmate Lawrence from the restraint chair and lay him on the floor. Cardio Pulmonary Resuscitation was started by Nurse Cook. Sergeant Fields called another Code Red. I called Central Control via radio and told them to call 911. Additional medical staff entered the unit through the L Unit – Medical sally port and began treating Inmate Lawrence. Fire Department Personnel entered the unit a few minutes later and began to treat Inmate Lawrence. Metropolitan Emergency Medical Services entered the unit and began assessing and treating Inmate Lawrence. They were able to get a pulse at which time they placed him on a gurney and left the unit. At the K/L & F, G & H hallway intersection Cardio Pulmonary Resuscitation was started again. It continued until a pulse was reestablished. Inmate Lawrence was taken to an awaiting ambulance and taken to University of Arkansas Medical Sciences Hospital for further treatment. A Code One (return to normal operations) was called at 1006 hours.

 Signature Image

It Rocky NBY 01702
MEMBER'S SIGNATURE

PULASKI COUNTY SHERIFF'S OFFICE

Subject Control Report Form

PSU USE ONLY
CASE#: _____

Date and Time: 06/09/2017 0853 hour

Incident#: 17-12624*4|1497280715179#1702

Location: D Unit

BI#: 9668-17

Suspect's Name: Lawrence, Kenneth

Sex: Male

DOB: [REDACTED]

Charges: None

Conditions (check all that apply):

Drug:

DWI:

Foot Pursuit:

Asslt. On Officer

Alcohol

Veh. Pursuit

Disturbance X

Asslt. On Citizen

Mental:

Other Traf. Viol.

Making Arrest:

Other:

Type of Control used: O.C. Spray/ Hands-on

If OC Spray was used, did OC incapacitate suspect enough for control? NO

If No, Explain: Inmate continued to resist

Distance from suspect when OC used: 6 inches Number of Sprays used: 1

Did suspect require medical attention? Yes

Nature of Injury: Small laceration on left eye/ bloody nose

Pre-existing injuries? Yes

Nature of Injury: small laceration on left eye

Refused treatment? NO

Witness to refusal: NO

Witness name: NA

Sex: NA

DOB: NA

Address: NA

Witness name: N/A

Sex: N/A

DOB: N/A

Address: N/A

Deputies at scene: (List reporting Deputy first):

Sergeant A. Jenkins

Injured?	YES
On Duty?	YES

Deputy I. Junior

Injured?	NO
On Duty?	YES

Deputy T. Turner

Injured?	NO
On Duty?	YES

If Deputy/Deputies received injuries, describe

Scratches on arms and neck

NARRATIVE (Use separate sheet if necessary):

At approximately 0853 hours a Code was called for D-unit. At first it sounded like Central Control called a Code Blue (Deputy Needs Assistance), and then Central Control re-stated and called a Code Red (Medical Emergency) for D-unit. I, Sergeant Anthony Jenkins entered D-unit and went to cell D-109. I observed Nurse Jonathan Nguyen standing over Inmate Lawrence, Kenneth #9668-17. Inmate Lawrence was lying face down in the middle of the cell. Inmate Lawrence was unconscious but making snoring sounds. Nurse Nguyen rolled Inmate Lawrence onto his left side (recovery position) and started assessing the inmate. There was a notable cut above his left eye once Inmate Lawrence was rolled over. Additional medical personnel started arriving. Nurse Jacob Mitchell arrived and started assessing the inmate also. At one point during the assessment, Inmate Lawrence woke up and raised up to a seated position. I along with the other Nurses told him to remain calm and asked him to lay back down. I placed my hands on his shoulders and told him to "Relax, medical is here to see you". Inmate Lawrence appeared to pass out at this time, eyes rolling and he went limp. Nurse Mitchell stood over Inmate Lawrence and called his name several times telling him to wake up. Nurse Mitchell gave a sternum rub and Inmate Lawrence chuckled and seemed to go unconscious again. Nurse Mitchell gave another sternum rub and Inmate Lawrence grabbed Nurse Mitchell's hand and arms. Nurse Mitchell asked Inmate Lawrence to calm down. Inmate Lawrence did not comply and started pulling Nurse Mitchell down toward him. I immediately grabbed ahold of Inmate Lawrence's wrists and pulled him off of Nurse Mitchell. I told Inmate Lawrence to calm down, that medical was here to check on him. I could tell that what I said to him was not registering. Inmate Lawrence started grabbing at my collar and neck. I started pushing his arms away from me. He continued to grab at my neck and right ear. At this point I threw a right elbow and hit Inmate Lawrence in the nose. Inmate Lawrence released his grip and trying to grab and push my arms away. I was able to lay across his chest with my body pinning his right arm with my hands and pinning his left arm with my legs. I told him again to calm down but he continued to make weird sounds and was trying to move underneath me. I felt something on my right side as I was laying across his chest. It appeared he was trying to bite me, but only biting my uniform. I told him to calm down but he continued. I threw another right elbow striking Inmate Lawrence in the mouth. Inmate Lawrence stopped and turned his head. I released my grip and the cross position so he could roll over. Inmate Lawrence rolled over on his stomach but tucked his arms underneath his body. Inmate Lawrence refused to pull his arms out and I could not get a good grip due to the blood that was coming from his face. Inmate Lawrence was pushing and kicking. I was unable to get a good grip, so I pushed him up against the toilet and the wall pinning his arms. I was then able to spray Inmate Lawrence with oleoresin capsicum to his facial area. A Code Blue (Deputy Needs Assistance) was called at 0902 hours. I kept Inmate Lawrence's upper body pinned up against the toilet and wall until Deputy Cody Stone relieved me. I was walked to a bunk by Nurse

PCSO 002535

Mallory Mannis and Nurse Steven Cook, where I sat down. My arms were covered with Inmate Lawrence's blood. Nurse Cook began cleaning me up when he noticed three open wounds I had received during the altercation. I had a cut behind my right ear and scratches on my neck, an injury sustained on my right elbow and an open wound to my right forearm. Nurse Cook informed me that I would need to report to Concentra and have blood work done since the blood had entered my wounds. I left the unit and photographs were taken of my wounds by Sergeant Lilly Ware. I filled out my workers' compensation paper work and I left the facility where I reported to Concentra. I later learned a Code 1 (Return to Normal Operations) was called at 1005 hours.

Deputy's Signature: DSN Date:

SST A. Jewrens²⁵¹⁹ 2519 6/9/17

Supervisor Signature: DSN Date:

Lt. Rocky N. N. 1702

Supervisor Signature: DSN Date: